

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90209 of 2024

Arising Out of PS. Case No.-144 Year-2016 Thana- PALASI District- Araria

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1. Vidyanand Chopal @ Vidyanand Sah S/O Chulai Chopal @ Chulai Sah R/O Ward No. 01, Panchayat Ramnagar, Near Hanuman Mandir, Maina, Mainahat, Police Station Palasi, District Araria, Bihar
 2. Lalita Devi W/O Vidyanand Chopal @ Vidyanand Sah R/O Vll.- Gyaspur, Ward No. 01, Panchayat Ramnagar, Near Hanuman Mandir, Maina, Police Station Palasi, District Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-01-2025 1. Heard the parties.
2. The petitioners apprehend their arrest in connection with Palasi P.S. Case No. 144 of 2016 dated 14.07.2016 registered under Sections 304(B) / 34 of the I.P.C.
3. As per the first information report the informant solemnized marriage of his daughter in the year 2013 with the co-accused / Harilal Sah. On 12.07.2016 the informant got the information that his daughter died in her matrimonial home. The allegation is that the petitioners and others demanded dowry and due to non- fulfillment of the demand his daughter was tortured and thereafter killed by her in-laws and the husband.
4. Learned counsel for the petitioners submits that petitioners



have not committed any offence as alleged. The petitioner no. 1 is the father-in-law and the petitioner no. 2 is the mother-in-law of the deceased. The Police after investigation submitted charge sheet only against the co-accused / Harilal Sah on 02.10.2016 and he was sent for trial. The co-accused / Harilal Sah is the son of the petitioners. The petitioners were exonerated in the final form and were not sent for trial. In the trial the learned trial court vide its judgment dated 10.09.2018 has acquitted the co-accused i.e. son of the petitioner in S.T. No. 634 of 2016. After five years of submission of final form exonerating the petitioners the learned A.C.J.M. 1st Araria took cognizance against the petitioners on 28.11.2021 without any material.

5. Regard being had to the submission made by the parties, taking into consideration the fact that Police after investigation exonerated the petitioners and they were not sent for trial and after five years of submission of final form the learned Magistrate has taken cognizance, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each



with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Araria in connection with Palasi P.S. Case No. 144 of 2016 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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